

Water4Fish Delta Cross Channel Gates
(W4F -001-0220100904-2)

Staff Recommendation: Return application to applicant.

Background

The applicant submitted an application for consideration of an early action to be considered by the Delta Stewardship Council (Council) in September 2010. The request is to close the Delta Cross Channel (DCC) gates located at Walnut Grove, CA between October 4, 2010 through October 16, 2010 and each succeeding like period in 2011 and beyond. The Delta Cross Channel gates are operated by the Bureau of Reclamation (Reclamation). The stated purpose of the proposed action is to improve migration of adult Mokelumne River Chinook salmon to their spawning grounds in the Mokelumne River and to the associated hatchery.

The application submitted is generally complete pending approval from the operator of the DCC gates (Reclamation), however there is inadequate scientific information provided by the applicant. The scientific rationale is difficult to assess provided the lack of justification provided. The scientific rationale for this proposed early action is not ready to inform decision making on an early action.

This project also contains larger potential regulatory issues that appear to be not adequately addressed. The operations of the DCC gates are currently regulated to protect the water quality in the Delta and the out-migrating salmonids from entering the Delta.

1. Any change may meet the definition of a project under the California Environmental Quality Act (CEQA) section 15378 because it would result in a direct physical change in the environment, or a reasonable foreseeable indirect physical change in the environment, and would require analysis under CEQA. It is possible the proposed action is currently covered under an existing CEQA environmental document with another agency, however Staff is unaware of any such document, and would invite the applicant to provide a list of such documents.
2. In addition, Reclamation's current operating schedule does not allow for the closing of the DCC during the October 4 thru October 16 time period. Prior to any potential operational changes, Reclamation may need to consult with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, and possibly complete and analysis under National Environmental Policy Act.

Delta Stewardship Council Committee – Early Actions Review

Meeting Date: September 14-15-2010

Early Action Project or Plan Review: Staff Recommendation

Staff recommends the committee return the application to the applicant for submittal of environmental documentation and additional scientific justification.

List of Attachments

Attachment 1 – Committee Recommendation Options Submittal Form

Attachment 2 – Checklist for Completeness

Attachment 3 – Application for Consideration of a Plan or Project

Contact

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